

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 28<sup>TH</sup> DAY OF JANUARY 2008, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Annette S. Perkins	-Chair
	Doug Marrs	-Vice Chair
	Mary W. Biggs	-Supervisors
	William H. Brown	
	Gary D. Creed	
	John A. Muffo	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Karen Edmonds	-Human Resources Director
	Angie Hill	-Financial & Management Services Director
	Marc Magruder	-Budget Manager
	Vickie L. Swinney	-Secretary, Board of Supervisors

### **CALL TO ORDER**

The Chair called the meeting to order.

### **INTO CLOSED MEETING**

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711      (5)      Discussion Concerning A Prospective Business Or Industry Or The Expansion Of An Existing Business Or Industry Where No Previous Announcement Has Been Made Of The Business Or Industry's Interest In Locating Or Expanding Its Facilities In The Community.
1. Project # 2007-016
- (1)      Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Industrial Development Authority  
2. Juvenile Detention Commission  
3. Parks and Recreation Commission  
4. Planning District Commission  
5. Board of Zoning Appeals

The vote on the foregoing motion was as follows:

#### **AYE**

John A. Muffo  
James D. Politis  
Mary W. Biggs  
William H. Brown  
Gary D. Creed  
Doug Marrs  
Annette S. Perkins

#### **NAY**

None

## **OUT OF CLOSED MEETING**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Mary W. Biggs	
William H. Brown	
Gary D. Creed	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

## **CERTIFICATION OF CLOSED MEETING**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

## **VOTE**

### **AYES**

Mary W. Biggs  
William H. Brown  
Gary D. Creed  
Doug Marrs  
John A. Muffo  
James D. Politis  
Annette S. Perkins

### **NAYS**

None

### **ABSENT DURING VOTE**

None

### **ABSENT DURING MEETING**

None

## **INVOCATION**

A moment of silence was lead by Chair Perkins.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **PRESENTATIONS**

### **Resolution of Condolence – Dale F. Ashworth**

Board of Supervisors presented a Resolution of Condolence to the family of Dale Ashworth, former Town of Christiansburg Council Member and businessman.

### **Resolution of Appreciation – Allan C. Burke**

Board of Supervisors presented a Resolution of Appreciation to Allan C. Burke for his 16 years of service as Montgomery County's Clerk of the Circuit Court.

### **Resolution of Appreciation – Gene Morrell**

Board of Supervisors presented a Resolution of Appreciation to Gene Morrell for his 29 years at the News Messenger.

## **DELEGATION**

### **Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2007**

John Aldridge from Brown, Edwards & Company, L.L.P. presented the Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2007.

## **PUBLIC HEARINGS**

### **Ordinance Amending Chapter 10, Section 10 - Entitled Zoning**

**An ordinance amending Chapter 10 entitled zoning section 10-27 of the Code of the County of Montgomery, Virginia by adding "country inn" as a use permitted by special use permit in the Residential Multi-Family (RM-1) zoning district.**

The County Attorney provided a brief summary of the proposed changes.

There being no speakers, the public hearing was closed.

## **PUBLIC ADDRESS**

Susan Miller, Chair of the Parks and Recreation Commission, addressed the Board in support of fully funding the Parks and Recreation budget request. Ms. Miller explained that Montgomery County Parks and Recreation is adding more programs to meet the needs of the citizens. There is a need for more gyms, fields, equipment and employees. She asked the Board to consider their budget request for additional funding.

Wendell Jones spoke in support for the continued funding for the School Resource Officers (SRO). The grant funding for these positions will end June 2008. A presentation on this issue will be presented to the Board of Supervisors later in the meeting. Mr. Jones stated as a School Board member, a parent, and a citizen, he could not stress enough the need for the SRO's in the schools. They provide safe environment for the children and are worth every penny. He asked the Board to consider fully funding these positions.

There being no further speakers, the public address session was closed.

## **CONSENT AGENDA**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously, the Consent Agenda dated January 28, 2008 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
John A. Muffo	
Doug Marrs	
James D. Politis	
Mary W. Biggs	
Gary D. Creed	
Annette S. Perkins	

**R-FY-08-104**  
**SCHEDULE PUBLIC HEARING**  
**AMENDMENT TO CHAPTER 8, ARTICLE III**  
**ENTITLED EROSION AND SEDIMENT CONTROL**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board hereby schedules a public hearing on Monday, February 25, 2008 at 7:15 p.m., or as soon thereafter, at the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia in order to hear citizens comments on the following:

An Ordinance amending Chapter 8, Article III, Entitled, Erosion and Sediment Control, Section 8-63 through 8-67 respectively of the Code of the County of Montgomery, Virginia in order to be consistent with the Virginia Erosion and Sediment Control law.

**A-FY-08-73**  
**SHERIFF**  
**SUPPLEMENTAL APPROPRIATION**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

320	Sheriff County	\$35,000
-----	----------------	----------

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
414200 Courthouse Security Fees	\$35,000

Said resolution appropriates courthouse security fee revenue to cover additional part-time hours for courthouse security for the Sheriff's Office.

**A-FY-08-74**  
**PLANNING DEPARTMENT**  
**SUPPLEMENTAL APPROPRIATION**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

800 Planning & GIS \$32,405

The source of the funds for the foregoing appropriation is as follows:

Revenue Account  
451203 Undesignated Fund Balance \$32,405

Said resolution appropriates fund balance to cover salary and fringe benefit adjustments for the Planning Department due to the retirement of a 30-year employee. Adjustments are needed to cover the costs for the former director's leave payout, the new director's salary requirements, and additional funding for the Planning and Zoning Administrator's salary.

**A-FY-08-75  
CHAMBER OF COMMERCE  
TRANSIENT OCCUPANCY TAX  
FOR TOURISM**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

910 Montgomery County Chamber of Commerce \$3,753

The source of the funds for the foregoing appropriation is as follows:

Revenue Account  
02-412902 Transient Occupancy Tax \$3,753

Said resolution appropriates funds received from the increased 1% of transient occupancy tax. These funds will be remitted to the Montgomery County Chamber of Commerce for tourism.

**OLD BUSINESS**

For the purpose of discussion Supervisor Biggs made a motion, seconded by Supervisor Muffo to open the floor for discussion on the Gypsy Moth Suppression Program.

The County Administrator reported that he received information from the State that only \$255,000 has been allocated state wide for the Gypsy Moth Suppression Program. The VDACS has received proposals from eleven counties to treat over 39,000 acres and funding is distributed based on categories and it is most likely that Montgomery County will not receive any state funding. Therefore, the County will have to pay 100% of the cost if the Board chooses to proceed with the program for this year. The total estimated cost for the aerial treatment is \$10,650.00 for a total of 285 acres in Montgomery County.

At the January 14, 2008 meeting, the U.S. Forest Service reported that it appears they will have funds to treat approximately 1,600 acres in Montgomery County and surrounding areas. Though this is not guaranteed at this time, it looks favorable.

The County Administrator stated that this program will not eradicate or eliminate the gypsy moth infestation but it will help control and mitigate the impact.

Supervisor Brown reported he has received numerous e-mails urging the County to participate.

Supervisor Creed asked for the total cost for participating. The County Administrator responded that the administrative cost is \$22,000 and estimated cost for aerial treatment is \$10,650 for a total cost of \$32,650. Supervisor Creed also stated he has received e-mail from citizens who do not want to participate because of their concern about other species such as butterflies being harmed. He pointed out that this treatment cannot guarantee elimination of the gypsy moth.

**R-FY-08-105**  
**GYPSY MOTH SUPPRESSION PROGRAM**  
**AUTHORIZATION TO SIGN AGREEMENT**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried,

WHEREAS, In June 2007 Montgomery County was notified by the Department of Agriculture and Consumer Services (VDACS) that VDACS had expanded the Virginia Gypsy Moth Quarantine to include Montgomery County; and

WHEREAS, VDACS cooperates with quarantined localities to suppress gypsy moth populations through the USDA-Forest Service grant funding to aerially treat areas that will be impacted by the gypsy moth; and

WHEREAS, To qualify for participation in the 2008 Virginia Cooperative Gypsy Moth Suppression Program Montgomery County has conducted the required surveys, public meetings, landowner notifications; and

WHEREAS, A public hearing was conducted on January 14, 2008 on the current Gypsy Moth situation in the County, the proposal submitted to the VDACS for 2008 suppression actions, and to identify public concerns; and

WHEREAS, At their meeting of January 14, 2008, the Board of Supervisors approved the use of BTK on four proposed treatment blocks on Brush Mountain and Gap Mountain, Dimilin on two blocks on Poor Mountain and offer requesting landowners the option of a 150' buffer zone between their property lines and the portions of the treatment blocks to be sprayed; and

WHEREAS, Approval of this agreement commits Montgomery County to participate in the 2008 Cooperative Gypsy Moth Suppression program and that federal funding may not be available for the program.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Administrator to execute an Agreement Between the Virginia Department of Agriculture & Consumer Services (VDACS) and the County of Montgomery, Virginia for the 2008 Cooperative Gypsy Moth Suppression Program.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	Gary D. Creed
John A. Muffo	
Doug Marrs	
James D. Politis	
Mary W. Biggs	
Annette S. Perkins	

Supervisor Creed explained he does not believe this program will be effective, therefore he cannot support the resolution to participate in the Gypsy Moth Suppression Program.

**INTO WORK SESSION**

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Budget Work Session
  - a. Preliminary Revenue Projections
  - b. School Resource Officers
  - c. Annual vs Four Year Assessment

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
John A. Muffo	
Doug Marrs	
James D. Politis	
Mary W. Biggs	
Gary D. Creed	
Annette S. Perkins	

### **Preliminary Revenue Projections**

Marc Magruder, Budget Manager, provided information on preliminary revenue projections for the FY 08-09 budget year. Mr. Magruder reported that Montgomery County is somewhat insulated from a major economic downturn, national housing/mortgage crisis and recession fears, and that the preliminary projections may provide more growth in FY09 than in previous years. An estimated \$1.8 million in revenue is projected, which includes growth in real estate values, motor vehicles, and sales tax. The estimated value of a penny for FY 08-09 is \$655,705 based on the current real estate rate of 63 cents.

### **School Resource Officers**

Marc Magruder provided information on the School Resource Officers for the middle schools. Montgomery County received a grant for funding three School Resource Officer positions for the Christiansburg Middle, Auburn Middle, and Shawsville Middle School. The grant funding will end on June 30, 2008.

The Sheriff is requesting that the County continue funding the three grant funded positions and also requesting one additional SRO to provide relief for the other SRO positions throughout the County. This position will be used to cover days that the current officers are on leave, mandatory training and during court.

The total cost currently provided for 3 SRO's is \$129,471. Total cost needed in FY 09 is \$134,481 for 3 SRO's and the cost for one additional position is \$45,827. A total cost to the County, including the new position, is \$135,924. The School will continue to provide a local match of \$16,128 for the SRO in the Christiansburg Middle School, which is included in the total cost.

### **Reassessment**

Carol Edmonds, Assistant County Administrator, made a presentation on the County's reassessment process and annual vs. four year assessment. Information was provided on comparative localities, in-house operation costs, current housing crisis and economy.

### **OUT OF WORK SESSION**

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Doug Marrs	
James D. Politis	
Mary W. Biggs	
Gary D. Creed	
William H. Brown	
Annette S. Perkins	

## **COUNTY ADMINISTRATOR'S REPORT**

The County Administrator reported he met with the two Town Managers regarding cost sharing for fire and rescue services.

## **BOARD MEMBERS' REPORTS**

**Supervisor Politis** attended the annual New River-Highland RC&D meeting and the 2007 Annual Report was presented. A copy will be provided for all Board members. The New River-Highland RC&D will be hosting the 2008 Southeast Association meeting, which is a big event. They will be looking for sponsors to help with this event.

## **Parks & Recreation Commission Appointment**

### **R-FY-08-106 APPOINTMENT PARKS AND RECREATION COMMISSION**

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Susan Miller** to the **Parks and Recreation Commission** effective January 29, 2008 and expiring January 28, 2011.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
Doug Marrs	
Mary W. Biggs	
James D. Politis	
John A. Muffo	
Annette S. Perkins	

## **Board Reports Continued**

## **Supervisor Muffo - Appointment to the Board of Zoning Appeals**

### **R-FY-08-107 APPOINTMENT BOARD OF ZONING APPEALS (BZA) (Alternate)**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends to the Circuit Court Judge appointment of **Joe Powers** as an **alternate member** of the **Board of Zoning Appeals** effective January 29, 2008 and expiring January 28, 2013.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Doug Marrs	
Mary W. Biggs	
James D. Politis	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	



## **Board Reports Continued**

**Supervisor Biggs** attended the School Board meeting. Information was provided regarding the increase in cost of constructing two new elementary schools due to changing the design. Supervisor Biggs expressed concern if there would be enough funding in the first round of bond issuance to construct two new schools. Teacher salaries were also discussed. Supervisor Biggs at this time read an editorial from the Roanoke Times regarding teacher salaries and believes that this is an issue that needs to be addressed. She asked that this item be added to the County/School Liaison agenda for discussion.

**Supervisor Brown** attended a Six-Year Planning meeting for Schools at the Prices Fork Elementary School. Teacher Pay was the main topic of discussion.

**Supervisor Marrs** believes that the entire County, not just the school system, is having issues with providing adequate salaries for their employees.

### **Western Virginia Regional Jail Authority**

Supervisor Marrs reported the WVRJA members recently went to Richmond to lobby the state legislators for more funding for the regional jail and to request the Governor put money back into the State's budget for the regional jail that was eliminated. The Governor eliminated \$1.4 million in personnel costs from March 9, 2009 to the end of the fiscal year. Charlie Poff, Superintendent of WVRJ, talked to the Compensation Board and was told that the Governor's staff automatically assumed all jail projects underway will have a three month delay. The WVRJ is ahead of schedule and is still scheduled to open March 9, 2009. The only way to get this funding back in the budget is through a budget amendment. WVRJA is also requesting \$3.2 million to fund the personnel costs from July 1, 2008 through March 9, 2009 to cover personnel cost before the facility is open.

### **R-FY-08-108 RESOLUTION AUTHORIZING A REQUEST TO THE GENERAL ASSEMBLY TO PLACE BACK IN THE 2009 BUDGET FOR START-UP COSTS FOR THE WESTERN VIRGINIA REGIONAL JAIL AND TO INCLUDE REIMBURSEMENT OF THE COST OF JAIL PERSONNEL HIRED PRIOR TO THE OPENING OF THE WESTERN VIRGINIA REGIONAL JAIL**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Roanoke County, Franklin County, Montgomery County, and the City of Salem have entered into a cooperative agreement and formed the authority pursuant to §53.1-95.2 of the Code of Virginia (1950) as amended, to construct and operate the regional jail on behalf of the four localities; and

WHEREAS, The regional jail is under construction and is on schedule to open in March 2009; and

WHEREAS, The Governor's 2008-2010 Biennium Budget did not include Western Virginia Regional Jail Authority's request for funding of the start-up personnel costs from September 1, 2008 through March 9, 2009 (estimated cost = \$3.2 million); and

WHEREAS, The request for funding for personnel costs from March 9, 2009 through June 30, 2009 (estimated cost = \$1.4 million) was totally eliminated from the budget.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board hereby respectfully requests our Legislators' support to have the funding placed back in the FY 09 budget for the personnel costs from March 9, 2009 through June 30, 2009.

BE IT FURTHER RESOLVED, By the Board of Supervisors that it hereby supports a formal request to our Legislators and General Assembly to include \$3,187,931 in the 2008-2009 Governor's budget to supplement the Western Virginia Regional Jail Authority's start-up costs of \$5,554,460 for new employees hired before the scheduled opening of the jail. The early hiring of staff will allow new officers to complete the corrections academy and other specialized training as mandated by the Department of Criminal Justice Services prior to the opening of the new jail.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Mary W. Biggs	
William H. Brown	
Gary D. Creed	
Doug Marrs	
Annette S. Perkins	

### **Board Members' Reports Continued**

**Supervisor Perkins** attended the Workforce Investment Board meeting. She reported as of July 1, 2008, the Virginia Community College System (VCCS) will take over all functions of the Virginia Employment Commission (VEC). A copy of the changes was submitted to the County Administrator.

Supervisor Perkins reported that Volvo will lay off 600 employees in February 08. They are non-trade related and normally do not seek workforce development service.

New River Valley Planning District Commission - Supervisor Perkins reported the at-large representative term will expire in July 08. This appointment is rotated by member jurisdictions and it is Montgomery County's turn to appoint someone in this position. The PDC has requested that this appointment be made in June 08 in order to have the representative attend the July 08 meeting.

Virginia Tech-Montgomery County Airport Authority – At the last meeting Supervisor Perkins reported they discussed the expansion project and the preliminary six-year capital budget.

### **ADJOURNMENT**

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, February 11, 2008 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
James D. Politis	
Mary W. Biggs	
Gary D. Creed	
William H. Brown	
John A. Muffo	
Annette S. Perkins	

The meeting adjourned at 10:00 p.m.

APPROVED: _____	ATTESTED: _____
Annette S. Perkins	B. Clayton Goodman, III
Chair, Board of Supervisors	County Administrator